

**HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION**

Dated: Nainital: the 14th November, 2006

First Bail Application No. 1070 of 2006

Order on the bail application of accused.

CRIMINAL SIDE

Budh Singh,
S/o Ghasi,
R/o Village-Libarahdi,
P.S. Kotwarli, Manglour,
District-Haridwar.
Jail.

.....Applicant in

Versus

State of Uttaranchal

.....Opposite Party

Incase crime No. 306 of 2006
U/s 420 of I.P.C. P.S. Kotwali Manglour,
Registered on the basis of FIR dated 14.05.2005
District-Haridwar.

Hon'ble Rajesh Tandon, J.

The application has applied for bail in Case Crime No. 306 of 2006 U/s 420 I.P.C., P.S. Kotwali Manglour, District-Haridwar.

Heard Sri Manish Arora, counsel for the applicant and Sri H.C. Pandey, A.G.A. for the State.

The allegations in the FIR are that on 1st June, 2006, a sale deed was executed in favour of the complainant namely Ram Pal and a sum of Rs. 20,000/- has been paid to the accused-applicant. The complainant has alleged that later on another sale deed was executed on 8th June, 2006. However, in the FIR it has been stated that after executing the sale deed on 1st June, 2006, which was duly witnessed by the two witnesses the possession of the land was obtained by the complainant.

Counsel for the applicant has submitted that the allegation made in the FIR are only of civil nature and even assuming that any sale deed has been executed, the investigation can be made only before the Civil Court and the Civil Suit has to be filed for cancellation of same.

Considering the facts and circumstances of the case, it is a fit case for bail. Let the applicant be released on bail on executing personal bond and furnishing two sureties, each of the like amount to the satisfaction of the Magistrate concerned.

(Rajesh Tandon, J.)

Dated 14.11.2006
-Rathour